

Fiscal Estimate - 2009 Session

☒ Original ☐ Updated ☐ Corrected ☐ Supplemental

LRB Number 09-2564/4		Introduction Number SB-530	
Description Regulating consumer small loans, limiting the areas in which a payday lender may operate, granting rule-making authority, and providing a penalty			
Fiscal Effect			
State:			
<div style="display: flex; flex-wrap: wrap;"><div style="width: 50%;"><input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations</div><div style="width: 50%;"><input checked="" type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div><input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</div><div><input type="checkbox"/> Decrease Costs</div></div></div></div>			
Local:			
<div style="display: flex; flex-wrap: wrap;"><div style="width: 60%;"><input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div><div style="width: 40%; margin-top: 10px;">5. Types of Local Government Units Affected <div style="display: flex; flex-wrap: wrap;"><div><input type="checkbox"/> Towns</div><div><input type="checkbox"/> Village</div><div><input type="checkbox"/> Cities</div><div><input type="checkbox"/> Counties</div><div><input type="checkbox"/> Others</div><div><input type="checkbox"/> School Districts</div><div><input type="checkbox"/> WTCS Districts</div></div></div></div>			
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.144(1)(g)			
Agency/Prepared By		Authorized Signature	Date
DFI/ Bill Morrissey (608) 267-1707		Bill Morrissey (608) 267-1707	2/18/2010

Fiscal Estimate Narratives
DFI 2/18/2010

LRB Number	09-2564/4	Introduction Number	SB-530	Estimate Type	Original
Description Regulating consumer small loans, limiting the areas in which a payday lender may operate, granting rule-making authority, and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

This bill creates a new license type for payday lenders, defined as a business that makes "consumer small loans" to Wisconsin residents. Currently, businesses who engage in these services are licensed as "Licensed Lenders". The bill limits the total amount that a borrower may have outstanding to all licensees at \$900.

The legislation requires a state wide database, which the Department will contract with a third-party provider for, to enable lenders to access data and verify that a customer is eligible to enter into a consumer small loan, given the parameters of the bill. When entering into a new loan, the licensee is required to submit specified information into the database.

By rule, the Department may establish a database transaction fee to be charged to licensees. The fee would be collected by the database administrator and transferred to the Department. Based upon the terms of the contract, the Department would then pay the database administrator a fee to cover the cost of running the system. Assuming the number of transaction fees correlates to the number of loans made; there will be approximately 1,750,000 individual transaction fees.

Fees paid by licensees in Michigan (for a similar service) are \$0.45 per transaction. Additionally, by statute, in Wisconsin 12% of all monies received by the Division are deposited to the general fund. Therefore, the fee charged would need to accommodate the 12% revenue requirement and the contractor fee. Total estimated receipts would be \$894,500 with \$107,400 going to the General Fund. Assuming the fees paid by the licensees and the fees due to the General Fund and the database administrator are matching, the net effect is \$0. In order to pay the contractor, the Department would require an appropriated amount to pay their fee.

The license fees for the new license type of Payday Lender are the same as they are currently paying for being a Licensed Lender. While there may be a reduction in the number of licensees when this legislation is effective, it is not expected to be significant.

The Department is required to promulgate rules and will have work associated with procuring and implementing the database contract, responding to inquiries from the industry, creating new forms, and following up on issues and complaints. It is anticipated these costs may be covered by current staff.

Long-Range Fiscal Implications

The Department will have continuing revenues and the cost of payments to the contractor on a long term basis. Whether there would be increases in the long term cost of contractor services is not known at this point in time.

Fiscal Estimate - 2009 Session

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LRB Number 09-2564/4	Introduction Number SB-530	
Description Regulating consumer small loans, limiting the areas in which a payday lender may operate, granting rule-making authority, and providing a penalty		
Fiscal Effect State: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> <div style="width: 33%;"> <input checked="" type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues </div> <div style="width: 33%;"> <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decrease Costs </div> </div> Local: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 33%;"> 5. Types of Local Government Units Affected <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> Towns <input type="checkbox"/> Counties <input type="checkbox"/> School Districts </div> <div style="width: 33%;"> <input type="checkbox"/> Village <input type="checkbox"/> Others <input type="checkbox"/> WTCS Districts </div> <div style="width: 33%;"> <input type="checkbox"/> Cities </div> </div> </div> </div>		
Fund Sources Affected Affected Ch. 20 Appropriations <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.144(1)(g)		
Agency/Prepared By	Authorized Signature	Date
DFI/ Bill Morrissey (608) 267-1707	Bill Morrissey (608) 267-1707	2/18/2010

Fiscal Estimate Narratives

DFI 2/18/2010

LRB Number	09-2564/4	Introduction Number	SB-530	Estimate Type	Updated
Description Regulating consumer small loans, limiting the areas in which a payday lender may operate, granting rule-making authority, and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

This bill creates a new license type for payday lenders, defined as a business that makes "consumer small loans" to Wisconsin residents. Currently, businesses who engage in these services are licensed as "Licensed Lenders". The bill limits the total amount that a borrower may have outstanding to all licensees at \$900.

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Fees paid by licensees in Michigan (for a similar service) are \$0.45 per transaction. Additionally, by statute, in Wisconsin 12% of all monies received by the Division are deposited to the general fund. Therefore, the fee charged would need to accommodate the 12% revenue requirement and the contractor fee. Total estimated receipts would be \$894,500 with \$107,400 going to the General Fund. Assuming the fees paid by the licensees and the fees due to the General Fund and the database administrator are matching, the net effect is \$0. In order to pay the contractor, the Department would require an appropriated amount to pay their fee.

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Long-Range Fiscal Implications

The Department will have continuing revenues and the cost of payments to the contractor on a long term basis. Whether there would be increases in the long term cost of contractor services is not known at this point in time.

Fiscal Estimate Worksheet - 2009 Session

Detailed Estimate of Annual Fiscal Effect

☐ Original
 ☒ Updated
 ☐ Corrected
 ☐ Supplemental

LRB Number 09-2564/4	Introduction Number SB-530
Description Regulating consumer small loans, limiting the areas in which a payday lender may operate, granting rule-making authority, and providing a penalty	
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): NA	
II. Annualized Costs:	Annualized Fiscal Impact on funds from:
	Increased Costs Decreased Costs
A. State Costs by Category	
State Operations - Salaries and Fringes	\$
(FTE Position Changes)	
State Operations - Other Costs	787,100
Local Assistance	
Aids to Individuals or Organizations	
TOTAL State Costs by Category	\$787,100
B. State Costs by Source of Funds	
GPR	
FED	
PRO/PRS (PRO)	787,100
SEG/SEG-S	
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	
	Increased Rev Decreased Rev
GPR Taxes	\$
GPR Earned	
FED	
PRO/PRS (PRO)	894,500
SEG/SEG-S	
TOTAL State Revenues	\$894,500
NET ANNUALIZED FISCAL IMPACT	
	State Local
NET CHANGE IN COSTS	\$787,100 \$
NET CHANGE IN REVENUE	\$894,500 \$
Agency/Prepared By	
DFI/ Bill Morrissey (608) 267-1707	
Authorized Signature	
Bill Morrissey (608) 267-1707	
Date	
2/18/2010	